

**LIST OF AMENDMENTS TO THE CALIFORNIA RULES OF COURT  
AND STANDARDS OF JUDICIAL ADMINISTRATION**

Adopted by the Judicial Council of California

Effective September 1, 2003

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## **Rule 6.11. Executive and Planning Committee**

- (a) **[Coordinating council meetings]** The Executive and Planning Committee coordinates the annual schedule and establishes agendas for council meetings. The committee determines:

  - (1) Whether each item submitted should be placed in the council's agenda and is presented in a form that gives the council the information it needs to make a well-informed decision; and
  - (2) Whether each item should be on the consent, discussion, or information agenda; how much time is to be allotted for discussion; what presenters should be invited to speak; and, when appropriate, which specific issues should be discussed.
- (b) **[Internal operating procedures]** The committee develops and administers the internal operating procedures of the council.
- (c) **[Nominations]** The committee coordinates nominations for the Chief Justice's appointments to the council, the advisory committees, and task forces.
- (d) **[Actions on behalf of the council]** Between council meetings the committee may take action on behalf of the council except for:

  - (1) Adopting rules of court, standards of judicial administration, or council forms;
  - (2) Making statutory appointments; and
  - (3) Taking actions that are delegated to other internal committees.
- (e) **[Planning]** The committee oversees the development and implementation of the council's long-range strategic plan by:

  - (1) Recommending responses to forces and trends that are likely to affect the judiciary's operations and resources;
  - (2) Planning and conducting the council's annual strategic planning meeting and related efforts; and
  - (3) Collaborating with the Administrative Director of the Courts and the Judicial Branch Budget Advisory Committee regarding proposed judicial

branch budgets, proposed allocation schedules, and related budgetary issues.

- (f) **[Budget]** The committee must ensure that proposed judicial branch budgets and related budgetary issues are brought to the Judicial Council in a timely manner and in a format that permits the council to establish funding priorities in the context of the council's annual program objectives, statewide policies, and long-range strategic plan. The Administrative Director of the Courts and the Judicial Branch Budget Advisory Committee assist the Executive and Planning Committee in carrying out this function, as directed by the Executive and Planning Committee and as otherwise provided in these rules.
- (g) **[Oversight of advisory committees and task forces]** The committee provides guidance and direction to advisory committees and task forces, as specified in rules 6.30, 6.34 and 6.70.

*(Subd (g) adopted effective September 1, 2003.)*

*Rule 6.11 amended effective September 1, 2003; adopted effective January 1, 1999; previously amended effective January 1, 2002.*

## **Rule 6.12. Policy Coordination and Liaison Committee**

- (a) **[Relations with other entities]** The Policy Coordination and Liaison Committee ~~shall~~ acts as the council's liaison with other governmental entities, the bar, the media, the judiciary, and the public.

*(Subd (a) amended effective September 1, 2003.)*

- (b) **[Legislative activities]** With the assistance of the Office of Governmental Affairs, the committee ~~shall~~ performs the following functions regarding proposed legislation:
  - (1) Taking a position on behalf of the council on pending legislative bills, provided that the position is consistent with the council's established policies and precedents;
  - (2) Making recommendations to the council on proposals for council-sponsored legislation. The committee annually proposes a legislative agenda to the Judicial Council after evaluating input from advisory committees, staff, and courts; and

- (3) Representing the council's position before the Legislature and other bodies or agencies.

*(Subd (b) amended effective September 1, 2003.)*

- (c) **[Coordination]** The committee ~~shall~~ develops an annual plan for communication and interaction with the judiciary, other branches and levels of government, components of the justice system, the bar, the media, and the public.

*(Subd (c) amended effective September 1, 2003.)*

- (d) **[Advisory Committees]** The committee may direct any advisory committee to provide it with analysis or recommendations on any pending or proposed legislation, and reviews all recommendations from advisory committees regarding pending or proposed legislation.

*(Subd (d) adopted effective September 1, 2003.)*

*Rule 6.12 amended effective September 1, 2003; adopted effective January 1, 1999.*

### **Rule 6.13. Rules and Projects Committee**

- (a) **[Oversight of advisory committees and Task Forces]** ~~The Rules and Projects Committee shall review the annual work plan of each advisory committee and task force to assess project priorities and timelines and to ensure that it is consistent with the general and any annual charges to that committee or task force and with the council's policies and priorities. The committee's approval of a work plan permits the advisory committee or task force to implement the work plan, subject to available resources.~~ provides guidance and direction to advisory committees and task forces, as specified in rules 6.30, 6.34, and 6.70.

*(Subd (a) amended effective September 1, 2003.)*

- (b) **[Recommendations]** The committee ~~shall~~ recommends to the Executive and Planning Committee whether each proposal for new or amended rules, standards, or forms should be on the council's consent or discussion agenda and how much time should be allocated for discussion. It also ~~shall~~ recommends to the council whether such a proposal should be approved and, when appropriate, identify issues for discussion. If the committee recommends against approval, it ~~shall~~ must state the reasons for doing so.

*(Subd (b) amended effective September 1, 2003.)*

- (c) **[Rules, standards, and forms]** The committee ~~shall~~ must establish and maintain a rule-making process that is understandable and accessible to the public. It ~~shall~~ assists the council in making informed decisions about rules of court administration, practice, and procedure by:

- (1) Identifying the need for new rules, standards, and forms;
- (2) Reviewing proposals for rules, standards, and forms and circulating them for public comment in accordance with the committee's procedures and guidelines;
- (3) Establishing and publishing procedures that solicit and consider relevant input from the public for the proposal and adoption of rules, standards, and forms;
- (4) Providing guidelines for the style and format of rules and ensuring that each proposal presented to the council is consistent with the guidelines;
- (5) Ensuring that proposals for new or amended rules, standards, and forms do not conflict with statutes or other rules;
- (6) Recommending whether the council should approve, modify, or reject each proposal; and
- (7) Initiating circulating orders to allow the council to adopt rules, standards, and forms between council meetings if necessary.

*(Subd (c) amended effective September 1, 2003.)*

*Rule 6.13 amended effective September 1, 2003; adopted effective January 1, 1999.*

### **Rule 6.30. Judicial Council advisory committees**

- (a) **[Creation]** In addition to the advisory committees established by the rules in this division, the Chief Justice may create additional advisory committees by order.
- (b) **[Functions]** Working under the council's direction, advisory committees ~~shall~~ assist the council by using their collective experience, opinions, and wisdom to provide advice, options, and recommendations to the council on topics affecting the administration of justice.

*(Subd (b) amended effective September 1, 2003.)*

- (c) **[Committee charges]** Each advisory committee's general charge is set forth in the rules in this division. Each advisory committee is overseen by either the Executive and Planning Committee or the Rules and Projects Committee, as designated by the Chief Justice. The council designated internal committee may give an annual charge to ~~every~~ each advisory committee that specifies the work product the council expects during the year. The advisory committee may pursue matters in addition to those specified in its annual charge, as long as the matters are consistent with the committee's general charge and the committee operates within the limits of the resources available to the committee and within any other limitations specified by the council, the designated internal committee, or the Administrative Director of the Courts.

*(Subd (c) amended effective September 1, 2003.)*

- (d) **[Staff]** Advisory committees are assisted by the staff of the Administrative Office of the Courts. The duties of staff members include drafting committee work plans, managing the committee's budget and resources, coordinating committee activities, providing legal and policy analysis to the committee, organizing and drafting reports, selecting and supervising consultants, providing technical assistance, and presenting the committee's recommendations to the Judicial Council. Staff may provide independent legal or policy analysis of issues that is different from the committee's position.

*(Subd (d) amended effective September 1, 2003.)*

- (e) **[Subcommittees]** An advisory committee may form subcommittees, composed entirely of committee members, to carry out the committee's duties, subject to available resources.
- (f) **[Preference for using advisory committees]** Unless substantial reasons dictate otherwise, new projects requiring committee involvement ~~shall~~ must be assigned to existing advisory committees.

*(Subd (f) amended effective September 1, 2003.)*

*Rule 6.30 amended effective September 1, 2003; adopted effective January 1, 1999.*

### **Rule 6.31. Advisory committee membership and terms**

- (a) **[Membership]** The categories of membership of each advisory committee are specified in the rules in this chapter. Each advisory committee consists of between 12 and 18 members, unless a different number is specified by the

Chief Justice or required by these rules. Advisory committee members do not represent a specific constituency but ~~shall~~ must act in the best interests of the public and the entire court system.

*(Subd (a) amended effective September 1, 2003.)*

**(b)–(g) \*\*\***

*Rule 6.31 amended effective September 1, 2003; adopted effective January 1, 1999; previously amended effective September 1, 2000.*

### **Rule 6.32. Nominations and appointments to advisory committees**

- (a) [Nomination procedures]** The Executive and Planning Committee ~~shall~~ assist the Chief Justice in selecting advisory committee members by submitting a list of nominees for each position. Unless otherwise specified in the rule applicable to a particular advisory committee, the nomination procedures are as follows:
- (1) The Executive and Planning Committee ~~shall~~ must publicize vacancies and solicit nominations. If any group is designated to submit nominations for a position, the Executive and Planning Committee will request that the group submit at least three nominations for each advisory committee vacancy.
  - (2) The Executive and Planning Committee ~~shall~~ must submit at least three nominees for each advisory committee vacancy to the Chief Justice. The nominees should represent diverse backgrounds and experiences as well as geographic locations throughout California.

*(Subd (a) amended effective September 1, 2003.)*

- (b) [Court executive or administrator members]** A court executive or administrator member may be a county clerk, a court administrator, or an executive officer if the member also serves as the clerk of the court.
- (c) [Judicial administrator member]** A judicial administrator member may be any person experienced in court administration and is not required to be currently employed by a court.
- (d) [Judicial officer]** A judicial officer member may be a judge of the ~~municipal~~ ~~or~~ superior court or a court commissioner or referee.

*(Subd (d) amended effective September 1, 2003.)*

- (e) **[Appointing order]** The Chief Justice ~~shall~~ appoints advisory committee members by order.

*(Subd (e) amended effective September 1, 2003.)*

*Rule 6.32 amended effective September 1, 2003; adopted effective January 1, 1999.*

### **Rule 6.33. Advisory committee meetings**

Each advisory committee ~~shall~~ may meet as often as its chair deems necessary, within available resources. Meetings may be in person or by teleconference. ~~One of the meetings is an orientation meeting to plan the committee's work for the coming year.~~

*Rule 6.33 amended effective September 1, 2003; adopted effective January 1, 1999.*

### **Rule 6.34. Duties and responsibilities of advisory committees**

- (a) **[In general]** Advisory committees ~~shall~~ make recommendations and offer options to the Judicial Council for improving the administration of justice within their designated areas of focus by doing the following:
- (1) Identifying issues and concerns affecting court administration and recommending appropriate solutions to the council;
  - (2) Proposing necessary changes to rules, standards, and forms on the following schedule:
    - (A) As needed for selected provisions in response to legislative and case law changes as well as to proposals from committee members and others; and
    - (B) At least every 10 years for all provisions within the committee's area of focus;
  - (3) Reviewing ~~and recommending~~ pending legislation and making recommendations to the Policy Coordination and Liaison Committee on whether to support or oppose it;
  - (4) Recommending new legislation to the council;



(4)(5) Recommending to the council pilot projects to evaluate new procedures or practices;

(5)(6) Acting on assignments referred by the council or ~~the Rules and Projects~~ an internal committee; and

(6)(7) Making other appropriate recommendations to the council.

*(Subd (a) amended effective September 1, 2003.)*

(b) **[Work plan]** Each committee ~~prepares~~ submits an annual proposed work plan that is reviewed by the ~~Rules and Projects Committee~~ internal committee with oversight responsibility, as designated by the Chief Justice. This subdivision does not apply to the ~~Governing Committee of the Center for Judicial Education and Research, the Judicial Branch Budget Advisory Committee, or the Administrative Presiding Justices Advisory Committee.~~

*(Subd (b) amended effective September 1, 2003; previously amended effective January 1, 2002.)*

(c) **[Contents of work plan]** ~~The W~~work plans shall must contain the following items:

(1) A prioritized list and description of all current committee projects and activities and estimated dates of completion;

(2) ~~A schedule for reviewing pending legislation and for drafting rules, standards, and forms in response to newly enacted statutes;~~

(3)(2) A list of existing rules, standards, and forms that the committee will review and recommend for amendment, reorganization, or repeal;

(4)(3) Proposals for new projects that the committee wishes to undertake; and

(5)(4) Estimated cost and staff needed to complete each project or activity.

*(Subd (c) amended effective September 1, 2003.)*

(d) **[Scope Review of work plans]** The internal committee that is responsible for oversight of the advisory committee reviews the proposed work plan and provides the advisory committee with an annual charge to ensure that its activities are consistent with the council's goals and priorities. The annual charge may (1) approve or disapprove the work plan in whole or in part, (2) direct the committee to pursue specific projects on the work plan, (3) add or

delete specific projects, and (4) reassign priorities. An advisory committee may pursue matters in addition to those specified ~~by the council~~ in its annual charge as long as the matters are consistent with the advisory committee's general charge, its approved work plan, and the council's long-range strategic plan. The additional matters must also be within the committee's authorized budget and available resources, as specified by the council or the Administrative Director of the Courts.

*(Subd (d) amended effective September 1, 2003.)*

- (e) **[Reporting to ~~Rules and Projects~~ Internal Committee]** Each advisory committee ~~shall~~ must periodically report to the ~~Rules and Projects Committee~~ internal committee with oversight responsibility on its continuing work and ~~shall~~ must provide analysis of issues and make recommendations as requested by the ~~Rules and Projects~~ internal ~~C~~committee.

*(Subd (e) amended effective September 1, 2003.)*

- (f) **[Review of need for advisory committees]** Every five years each advisory committee ~~shall~~ must report in writing to the ~~Rules and Projects Committee~~ internal committee with oversight responsibility about whether the advisory committee should continue to exist and whether it should maintain its current structure. The ~~Rules and Projects Committee~~ internal committee ~~shall~~ may make a recommendation to the council.

*(Subd (f) amended effective September 1, 2003.)*

*Rule 6.34 amended effective September 1, 2003; adopted effective January 1, 1999; previously amended effective January 1, 2002.*

## **Rule 6.70. Task forces**

The Chief Justice, the Administrative Director of the Courts, or the council may establish task forces to work on specific projects that cannot be addressed by existing advisory committees. Each task force may be required to report to one of the internal committees, as designated in its charge. The Administrative Office of the Courts maintains a list of current task forces.

*Rule 6.70 amended effective September 1, 2003; adopted effective January 1, 1999.*